

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

DENISE EVANS NELSON,

*Plaintiff,*

v.

UNUM GROUP CORPORATION,

*Defendant.*

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Case No. 1:13-cv-58

Judge Mattice

Magistrate Judge Carter

**ORDER**

On July 22, 2014, United States Magistrate Judge William B. Carter filed a Report and Recommendation (Doc. 22) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Carter recommended that Plaintiff's Motion for Judgment as a Matter of Law be denied, Plaintiff's action be dismissed, and judgment be entered in favor of Defendant Unum.

Plaintiff has filed no objections to the Magistrate Judge's Report and Recommendation.<sup>1</sup> Nevertheless, the Court has reviewed the record in this matter, and it agrees with the Magistrate Judge's well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's findings of fact and conclusions of law. Plaintiff's Motion for Judgment as a Matter of Law (Doc. 16) is hereby **DENIED**, and Plaintiff's action is hereby **DISMISSED WITH PREJUDICE**.

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<sup>1</sup> Magistrate Judge Carter specifically advised Plaintiff that she had 14 days in which to object to the Report and Recommendation and that failure to do so would waive her right to appeal. (Doc. 22 at 18); see Fed. R. Civ. P. 72(b)(2); see also *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

**SO ORDERED** this 11th day of August, 2014.

/s/ *Harry S. Mattice, Jr.*  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE